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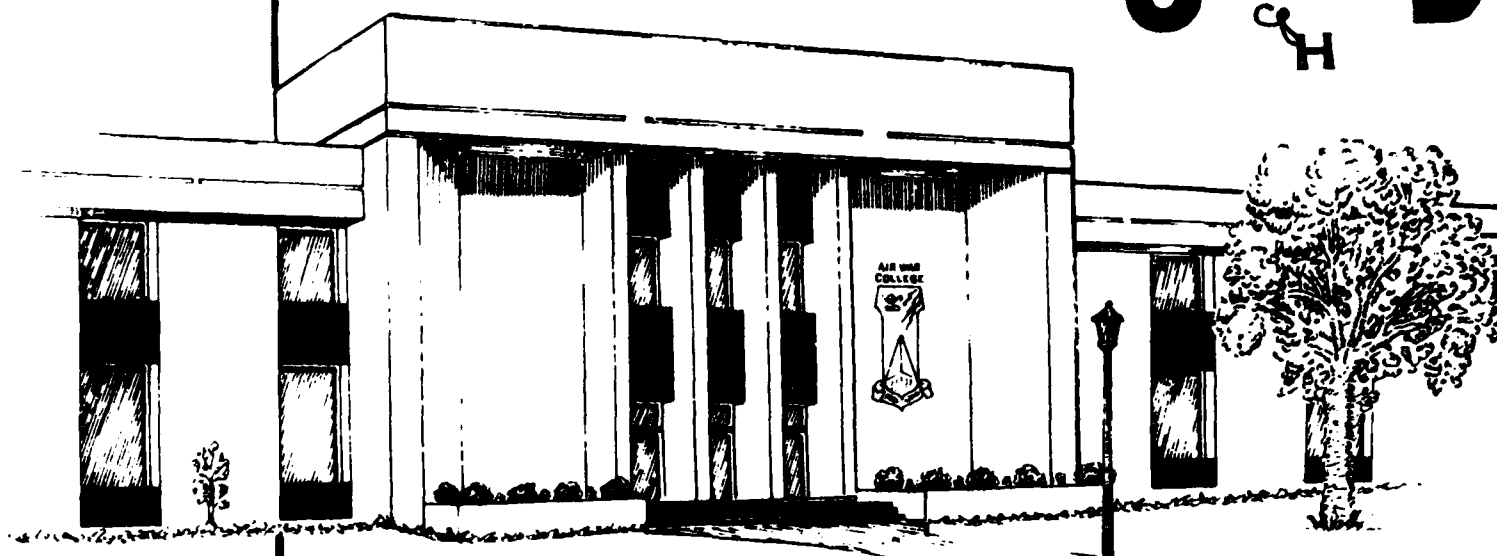
RESEARCH REPORT

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UNDERSTANDING AND MISUNDERSTANDING THE USE
OF DEADLY FORCE POLICY AMONG AIR FORCE SECURITY
POLICE PERSONNEL

By LIEUTENANT COLONEL LARRY P. CORNWELL

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UNITED STATES AIR FORCE
MAXWELL AIR FORCE BASE, ALABAMA

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UNDERSTANDING AND MISUNDERSTANDING
THE USE OF DEADLY FORCE POLICY
AMONG AIR FORCE SECURITY POLICE PERSONNEL

by

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A RESEARCH REPORT SUBMITTED TO THE FACULTY
IN
FULFILLMENT OF THE RESEARCH
REQUIREMENT

Research Advisor: Colonel Denis P. McGrath

MAXWELL AIR FORCE BASE, ALABAMA

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AIR WAR COLLEGE RESEARCH REPORT ABSTRACT

TITLE: Understanding and Misunderstanding the Use of
Deadly Force Policy Among Air Force Security
Police Personnel

AUTHOR: Larry P. Cornwell, Lieutenant Colonel, USAF

Discusses the importance of clear guidance on when Air Force security police may use their firearms in peacetime. Emphasizes the necessity for security police to know, understand, and be able to apply this guidance.

Compares the use of deadly force policy to military peacetime rules of engagement. Analyzes the U.S.S. Pueblo and U.S.S. Stark incidents to relate how unclear rules of engagement and the misunderstanding or misapplication of these rules led to major international incidents.

Analyzes current guidance provided to Air Force security police personnel on the use of deadly force as the policy applies to the protection of priority resources in restricted areas, the protection of property in controlled areas, the protection of firearms and munitions, the prevention of serious offenses against persons, and the protection of classified information and material. Analyzes training on the policy.

Recommends changes to clarify policy and improve security police training and understanding of the policy.

Reports the results of a survey of 215 security police personnel on their knowledge of the use of deadly force policy.

BIOGRAPHICAL SKETCH

Lieutenant Colonel Larry P. Cornwell has been an Air Force security police officer since his commission in 1969. He has a bachelor of arts degree in psychology and sociology/anthropology, cum laude, from Dana College, and a master of science degree in criminal justice from Michigan State University. He has served in security police units in Oklahoma, Thailand, and Kansas. He has commanded security police units and served as the base chief of security police at bases in Michigan and Guam. He has served on the headquarters staff at Tactical Air Command (TAC) and Strategic Air Command (SAC) headquarters. He has also served on the TAC inspector general team.

He has been awarded five Meritorious Service Medals and two Air Force Commendation Medals. He was the SAC nominee for the Lance P. Sijan Leadership Award, senior officer category, in 1986, and the Fifteenth Air Force nominee for the same award in 1987.

He is a graduate of the Tactical Intelligence Staff Officer course at Ft. Huachuca, Arizona, the Traffic Institute at Northwestern University, the Correctional Administration course at the University of Georgia, and the Police Administration course at the University of Southern California. He attended Squadron Officer School in residence, is a graduate of Air Command and Staff College by correspondence, and is a graduate of Air War College, class of 1988.

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CHAPTER I

INTRODUCTION

We must take the lessons learned, make needed improvements and insure a tragedy like this never happens again. (4:21)

-- Capt G.R. Brindel, commanding officer, U.S.S. Stark

The North Korean capture of the U.S.S. Pueblo on 23 January 1969 in international waters and the Iraqi attack on the U.S.S. Stark on 17 May 1987 in the Persian Gulf generated national interest and a resolve to determine the causes of the incidents. The formal investigations examined the confusing rules of engagement in effect at the time and military members' misunderstanding of those rules.

This report examines those incidents and draws a parallel to the rules of engagement used by Air Force security police in the performance of their peacetime duties. This report will also show that the rules of engagement used by security police, defined in the use of deadly force policy, are also confusing and misunderstood.

Clear policy is important not only during the day-to-day maintenance of security and enforcement of the law on US Air Force bases but becomes paramount immediately prior to the outbreak of military hostilities. Security planners hypothesize that "At the outbreak of military hostilities involving the United States (US), clandestine teams from hostile nations would likely start operations to

destroy, damage, or impair USAF priority resources." (12:para 2-3b) If Air Force security police are not absolutely sure at what point they can use deadly force, there is a danger that a portion of the bases' mission-essential property may be destroyed by saboteurs before these critical resources can be defended and subsequently employed in the war-waging effort.

This paper, through an analysis of the rules of engagement and the results of a quiz, will establish a need for changing the policy on the use of deadly force and for modifying training on the policy. The Air Force cannot wait until there is a major incident involving the misapplication of the use of deadly force to undertake a policy review. The danger is not that security police will use their firearms when they should not. The danger is that they will not use their firearms when they should, either because they do not know the rules, or they may be unwilling to apply them.

To lend support or disprove this author's thesis that the Air Force policy on the use of deadly force is confusing and misunderstood, he administered a quiz to 215 Air Force security police on active duty installations (Appendix 1). Two questions attempted to discover if there were any respondents who would not use their firearms when confronted with a situation where the use of deadly force was authorized. The Air Force Office of Security Police

fully supported this project by obtaining major air command (MAJCOM) approval for their units to participate.

Bases represented the following MAJCOMs: Air University, Air Training Command, Military Airlift Command, Strategic Air Command, Tactical Air Command, Pacific Air Forces, Air Force Systems Command, and United States Air Force, Europe.

The author's letter to each of the 11 chiefs of security police asked them to

administer the quizzes to a cross section of your people in proportion to the number of law enforcement and security troops you have. Please don't give them only to senior NCOs, or "back office" personnel, or the "smarter ones," but have each rank represented, if possible. I must rely on you and the individual you select to insure integrity of the whole process (no coaching, preparing for the quiz, or comparing answers). My thesis would be meaningless if I didn't have valid results. (23)

The cover letter on each quiz described the purpose of the quiz:

This short quiz is being administered to 200 security police men and women, worldwide, in a study to assess the Air Force deadly force policy. High scores may indicate the policy is clear, and training is adequate. Low scores, on the other hand, may point to a need for policy clarification or additional training.

The results of this important study will be reported in an Air War College thesis by a senior security police officer who has 18 years of security police experience.

Please don't discuss this closed-book quiz with anyone until all quizzes have been handed in. Your anonymity is guaranteed. AFSC and grade data are asked only for statistical purposes. (24)

The 215 quizzes returned represented a 98 percent return rate. The respondents included 55 personnel with a law enforcement Air Force Specialty Code (AFSC) with fewer

than four years in the career field, 51 with a law enforcement AFSC with four or more years in the career field, 42 with a security AFSC with fewer than four years in the career field, 55 with a security AFSC with four or more years in the career field, six superintendents, and six officers. This data is shown by unit at Appendix 2.

The returns by rank category generally reflect the proportions of the rank in the career field, Air Force wide. This data is shown by unit at Appendix 3.

Average missed per unit were from five to seven per individual. Throughout the 11 units, 48 individuals missed four or fewer questions and 58 individuals had anywhere from eight to 15 wrong. This data is shown by unit at Appendix 4.

Rank or number of years of experience was no predictor of quiz score. This data is shown at Appendix 5.

No unit scored significantly higher than any other. Unit scores were similar and due to the size of the sample, it can be concluded that other security police units would score similarly on the same quiz.

CHAPTER II
RULES OF ENGAGEMENT, U.S.S. PUEBLO
AND U.S.S. STARK INCIDENTS

The Problem

Part of any problem is the lack of recognition of the problem. Many times an incident must happen before policy is reviewed and rewritten. After the U.S.S. Pueblo incident, rules of engagement were found to be confusing and were changed. They were changed again after the attack on the U.S.S. Stark.

This chapter briefly reviews the investigations of these incidents to show the necessity for clarity and understanding which may also be applied to the Air Force use of deadly force policy.

Background

The Committee on Armed Services, U.S. House of Representatives, investigated in 1969 whether the military rules of engagement were adequate and understood at the time the U.S.S. Pueblo was captured by the North Koreans. (10) The Committee conducted a similar investigation in 1987 when an Iraqi aircraft fired upon the U.S.S. Stark, killing 37 US Navy personnel on board. The Stark hearings also attempted to determine if there was proper understanding of these rules of engagement by the crews. (9) The answers to these questions led to policy clarification and criticism of the crews' behavior in both incidents.

U.S.S. Pueblo

In the 1969 hearings, Congressman Otis G. Pike, Chairman, Special Subcommittee on the U.S.S. Pueblo, made the observation that, "One of our real problems is the fact that our rules of engagement are so fuzzy, really, that nobody knows what authority we have got to take what action at what time." (10:804) His comments were directed at both the Pueblo's crew and friendly forces in the area which could have been directed to rescue the ship.

Article 0730, Navy regulations, read, at the time, "The commanding officer shall not permit his command to be searched by any person representing a foreign state nor permit the personnel under his command to be removed from the command by such persons so long as he has the power to resist." (6:96)

In his book Second in Command, Pueblo executive officer Edward R. Murphy, Jr. relates Bucher's reasons for not resisting. "Schumacker asked Bucher if he wanted him to man the machine guns. Bucher's reply: negative. . . (H)e still felt that only ordinary harassment was involved, and did not want to appear provocative." (5:132)

Bucher's unwillingness to defend his ship, and confusion among commanders of units in the area whether they needed "to seek approval from higher authority in their efforts to defend against PUEBLO's capture" (10:719) resulted in the ship's capture and exploitation for propaganda purposes by the North Koreans.

U.S.S. Stark

Thirty-seven U.S. sailors lost their lives when an Iraqi aircraft fired upon their ship in the Persian Gulf. (1:26) At least part of the blame can be laid on unclear rules of engagement, and the crew's misunderstanding of these rules. Capt. G.R. Brindel, the commanding officer of the U.S.S. Stark, has written:

Many people questioned the Rules of Engagement (ROE) that Stark was operating under. Rep. Tom Robinson of Florida, after a top secret briefing, said "the Rules of Engagement are at fault. I don't care how you dissect it . . . (T)hey are ambiguous to say the least."

Other commanding officers were less than happy with parts of the ROE. Also, a commander in chief Central Command staff officer told me that Gen. George C. Crist was not happy with the ROE and didn't think that they gave commanding officers enough guidance. Rear Adm. Sharp read the rules and said that they were "adequate." I think that they were deficient and should have been looked at more closely. They were modified significantly after the attack, and a new version approved by JCS in July. (4:21)

One of the problems with rules of engagement, then, is that different people have different ideas on the rules' adequacy. If those in position to make changes do not make them, the problem remains.

Newsweek reported:

The formal "rules of engagement" that were approved by Weinberger and Reagan put the captain into a no-win position. The rules specified that a captain could defend his ship against any approaching vessel or aircraft, as long as it displayed "hostile intent," in the captain's judgment. But how could a skipper determine hostile intent, except on the basis of range? And if Iraqi and Iranian planes were allowed to buzz U.S. ships without drawing fire, range became meaningless. (8:21)

Committee members of the Committee on Armed Services traveled to the Persian Gulf to interview Stark's crew members. The members, Les Aspin, Bill Nichols, and William Dickenson, drew eight conclusions, the first of which was:

The Rules of Engagement provided all the legal authority necessary for the USS Stark to defend itself in any circumstances -- up to and including the technical authority to have shot down the Iraqi Mirage that approached it May 17. However, the real world was considerably different. The Mirage was identified as Iraqi, and the Iraqis were virtual allies. To have taken hostile action against the incoming Mirage before it actually fired would likely have created a major international incident. (9:8)

However, Rear Admiral Grant Sharp, USN, conducted the formal investigation of the Stark incident, and issued the following opinion:

The Rules of Engagement that were in existence on 17 May 1987 were sufficient to enable STARK to properly warn the Iraqi aircraft, in a timely manner, of the presence of a U.S. warship; and, if the warning was not heeded, the Rules of Engagement were sufficient to enable STARK to defend herself against hostile intent and imminent danger without absorbing the first hit. (7:32)

Admiral Sharp did, however, find fault with the ship's tactical action officer, Lieutenant Basil E. Moncrief, Jr. "who had been tracking the Iraq Mirage F-1 fighter for more than an hour." (1:26) He wrote: "LT Moncrief did not understand what countermeasures he was required to execute, as a function of range to the Iraqi aircraft and response time required by Stark's combat system, in order to comply with the Rules of Engagement." (7:33)

And finally, Admiral Sharp placed blame on Capt Brindel, by stating, "The Commanding Officer failed . . . to impress upon his Executive Officer and Tactical Action Officers to implement the Rules of Engagement properly. . . ." (7:35)

Conclusion

Therefore, in each of these incidents, investigators criticized the clarity of the rules of engagement. In each case, the participants appeared to be confused concerning those actions which could be taken under existing rules of engagement.

Since security police operate under the equivalent of peacetime rules of engagement which they must understand if they are to protect Air Force resources, they must clearly understand those rules. The following chapters contain an examination of these rules and use the data collected by the survey to determine their clarity.

CHAPTER III

AIR FORCE USE OF DEADLY FORCE POLICY- GENERAL

The Air Force is given its authority to promulgate its use of deadly force policy by Department of Defense (DoD) Directive 5210.56, Use of Force by Personnel Engaged in Law Enforcement and Security Duties, dated May 10, 1969 and changed November 27, 1974. (22) The policies outlined by DoD are repeated virtually word-for-word in AFR 125-26, Arming and Use of Force by Air Force Personnel, dated 15 September 1981, with Change 1 dated 17 July 1987. (15)

The Air Force definition of deadly force is as follows:

Deadly force is that force personnel use with the purpose of causing--or which they know or should know would create a substantial risk of causing--death or serious bodily harm. Its use is justified only under conditions of extreme necessity as a last resort, when all lesser means have failed or cannot be reasonably employed, and only under one of these circumstances:

- a. Self-defense. . . .
- b. Protection of Property Involving National Security:. . . .
- c. Serious Offense Against Persons (Defense of Others). . . .
- d. Apprehension. . . .
- e. Escapes. . . .
- f. Lawful Order. . . . (15:para 20)

The following chapters analyze the policies outlined in paragraphs b, c and d, above, and additionally examine the use of deadly force policy for the protection of classified information and material. It is these four areas where the policy is unclear and security police personnel

have difficulty understanding or remembering the policy.

Although AFR 125-26 applies to all Air Force personnel who are armed in the performance of their duties, such as transport aircrew members, nonappropriated fund employees, command post controllers, and munitions personnel (15:para 1d(1)), this report addresses only security police personnel. They comprise the largest category of armed individuals in the Air Force and would be most likely to encounter the situations defined in the regulation where deadly force would be authorized.

Use of deadly force rules are not lengthy. Of the 10 pages in AFR 125-26, it takes only one page to describe the six conditions for their use (self-defense, protection of property involving national security, serious offense against persons, apprehensions, escapes and lawful order). Other pages outline policy on such subjects as who can be armed (para 4), firearms safety and when warning shots are authorized (para 12), and disciplinary action for those who apply excessive force (para 19).

Perhaps the brevity of deadly force rules is part of the problem. As the paper examines the four difficult areas suggested above, this will become clearer.

CHAPTER IV

PROTECTION OF PRIORITY RESOURCES IN RESTRICTED AREAS

The Problem

Deadly force protection is justified in defending Air Force priority resources which are vital to the national security. (15:para 20b(1)d) However, the policy confuses priority resources with the protection of classified information and material from espionage. Additionally, the policy authorizes deadly force protection at the fenceline to nuclear weapon storage areas, but not at the fenceline to nuclear alert aircraft parking areas and nuclear missile sites. Finally, the policy does not specifically require the local commander to define the precise boundary to nuclear weapons areas where deadly force may be applied.

Quiz results reveal misunderstanding of the policy. Forty-one percent incorrectly believe that deadly force may be applied, "as a last resort, to prevent an individual from illegally entering a restricted area who is attempting to come over, under, or through the restricted area fence," where "the intruder's intent is unknown." (24:Q8) Fourteen percent do not understand that deadly force is authorized "as a last resort, to prevent the theft of, or damage to, property contained within restricted areas." (24:Q10) Three percent do not realize that there is a restricted area on their base. (24:Q10) Fifty-eight percent incorrectly believe that deadly force is authorized to prevent an

"individual from running across the red line" into a restricted area when that individual had not demonstrated a threat to the resources. (24:Q13) Four percent do not know that deadly force may be applied to prevent the escape of someone who had committed a hostile act towards a priority resource. (24:Q14) Ten percent do not understand that deadly force may be applied, as a last resort, to prevent the escape of someone who has just blown up an aircraft in a restricted area, and is attempting to escape by helicopter. (24:Q17)

Protection of Priority Resources

The use of deadly force, as defined by DoD, is authorized as a last resort "to prevent the threatened theft of, damage to, or espionage aimed at property or information specifically designated by a commander or other competent authority as vital to the national security," (22:para IV. A.2.) and "to apprehend or prevent the escape of a person reasonably believed to have committed an offense of the nature specified in subsection IV.A.2." (22:para IV.A.4)

The Air Force regulation restates this and goes on to explain that:

Within the US Air Force, all priority resources protected under 207-series publications are designated vital to the national security and the use of deadly force is authorized. AFR 207-1 contains guidance on the use of force, including deadly force. (15:para 20b(1)d)

AFR 207-1, The Air Force Physical Security Program, states that priority resources (A, B, and C) will be contained within defined and marked restricted areas. A

sign will be posted every hundred feet around the boundary of these restricted areas reading "WARNING RESTRICTED AREA It is unlawful to enter this area without permission of the installation commander. (Sec 21, Internal Security Act of 1950, 50 U.S.C. 797) USE OF DEADLY FORCE AUTHORIZED." (12:para 8-17)

AFR 125-26 also goes on to say that:

Deadly force may be used when it reasonably appears necessary to apprehend or prevent the escape of an individual whose unauthorized presence in the vicinity of property or information vital to the national security reasonably appears to present a threat of theft, sabotage, or espionage. (15:para 20b(1)(b))

AFR 207-1 states:

(U) **Security Force Rules of Engagement.** The below actions must be taken by security forces to prevent the theft, damage, or destruction of USAF priority resources. They are to be used with the procedures described in AFR 125-26 on the use of force and deadly force. When theater commanders in overseas areas set up different rules of engagement, Air Force units will follow the theater rules.

*a.(U) **Hostile Act.** An overt or clandestine attempt at unauthorized entry to a restricted area, or to gain unauthorized access to a priority resource, interfere with a priority resource in air or ground transport status, or a patently overt attack against such areas or resources or the security forces protecting them is considered to be a hostile act. Security forces will use the degree of force necessary to prevent the theft, damage, destruction, and access to priority resources.

b.(U) **Hostile Act Without Hostile Fire.** Security forces will react with force as follows:

(1)(U) Before an intruder(s) crosses or penetrates a restricted area boundary or approaches a resource outside an area:

(a)(U) The intruder(s) must be challenged. If the challenge is obeyed, the intruder(s) must be detained and identified.

(b)(U) If the intruder(s) does not attempt to further advance or retreat, security response forces will be sent to the scene to detain and identify the intruder(s).

(2)(U) When an intruder(s) crosses or penetrates the restricted area boundary or is close to a protected resource:

(a)(U) The intruder(s) must be challenged. If the challenge is obeyed, the intruder(s) must be apprehended.

(b)(U) If the challenge is ignored, security forces will position themselves between the intruder(s) and the resource being protected or in a position to deliver effective fire and prevent further advance, using the degree of force necessary.

(3)(U) When an intruder(s) is inside the restricted area:

(a)(U) Sentries will challenge. If the challenge is obeyed, the intruder(s) must be apprehended.

(b)(U) If the challenge is ignored and the intruder's movement does not endanger priority resources, security response forces must be sent to the scene to apprehend the intruder(s).

(c)(U) If the intruder's movement is toward the priority resource, security forces will continue to challenge, block, and use measures less than deadly force to halt the intruder(s). If the intruder shows the intent, capability, and opportunity to steal, damage, destroy, or gain access to the resource to the extent that the resource is considered to be in immediate jeopardy, security forces will only use the degree of force necessary, up to and including deadly force, to remove the threat.

c.(U) **Hostile Act With Accompanying Hostile Fire.** Security forces may use deadly force to suppress or return hostile fire against them from any source. The decision to use deadly force must result from a judgment that the fire is coming from a hostile source and constitutes a present and unmistakable danger to the security forces or the resource they are protecting, or if not suppressed or resisted, will result in such danger. (12:para 12-9)

"Espionage" of "Information"

In 1974 deadly force was authorized to protect classified information/material.(16:para 18c(1) When AFR 125-26 was changed to "limit the use of deadly force for protection of classified information and material" (15:10) the revisor neglected to remove the words "espionage" and "information" from the paragraphs authorizing deadly force

for the protection of priority resources in restricted areas and property in controlled areas, thus confusing the present day reader with a mixture of terms. (15:para 20b)

Priority resources are the sole "vital" property designated by the US Air Force as warranting deadly force protection. (15:para 20b(1)(d)) Because the policy includes "information" as being "vital," does the policy then authorize deadly force to apprehend or prevent the escape of someone who has a restricted area under observation with field glasses attempting to gather information? Unless the reader knew that this paragraph once authorized the use of deadly force to protect information, and no longer does, he or she could come to no other conclusion.

However, AFR 207-1 clearly states that security forces may not react with deadly force if there is a hostile act without hostile fire in the protection of non-nuclear priority resources. In fact, the observation of a restricted area from a distance would not even be considered a hostile act under the AFR 207-1 definition quoted earlier. (12:para 12-9a)

Rewording paragraph 20b(1) of AFR 125-26 to remove all references to "information" and "espionage" would reduce confusion by authorizing deadly force only to protect property vital to the national security. It would also serve to fulfill the writer's original intent to address the

protection of classified information and material separately.

Special Rules Applicable to Nuclear Weapons

For non-nuclear areas, AFR 207-1 directs that, before deadly force can be applied, a number of prerequisites must be met (see para 12-9b(3)(c), cited above).

However, for nuclear areas, the following policy applies: "All possible actions must be taken, including the use of deadly force, to stop unauthorized entry to, or seizure of, any nuclear storage area, a transporting vehicle with weapons aboard, or a nuclear weapon system." (12:para 12-9d(1)(a)). This paragraph is taken to mean that the earlier identified "intent, capability, and opportunity" need not be present. As written, the regulation unintentionally omits the authority for applying deadly force at the boundary of alert aircraft parking areas and topside at missile sites, as described below.

Nuclear Alert Aircraft Parking Area Security

A close reading of paragraph 12-9d(1)(a), cited above, reveals that deadly force may be applied at the fenceline, as a last resort, to stop unauthorized entry to a weapons storage area, but one must wait until there is an attempted entry to the nuclear weapon system to apply deadly force, if the weapon system is located outside the nuclear storage area. When the nuclear weapon is mated to an aircraft, deadly force should be authorized to be applied

at the fenceline surrounding the alert aircraft parking area. Certainly, weapons are more secure in igloos in a weapons storage area where the igloos delay the intruder from reaching his objective, and less secure when mated to a delivery system such as an aircraft on nuclear alert. Therefore, it makes as much, if not more, sense to allow deadly force to stop unauthorized entry to a nuclear alert aircraft parking area at the fenceline.

Missile Site Topside Security

This same paragraph does not specifically allow deadly force to stop unauthorized entry to the topside restricted area at missile sites. Numerous incidents at missile sites have caused security police and legal officers over the years to debate the authority of security police to use deadly force, as a last resort, to prevent damage to above ground facilities, and to apprehend or prevent the escape of someone suspected of damage to above ground facilities. (3:46-55)

Unless AFR 207-1, para 12-9d(1)(a) is reworded to specifically authorize deadly force topside, a strict interpretation prohibits it, because an unauthorized individual does not have entry to the "nuclear weapon system" underground. Although topside equipment may be defined as part of the "nuclear weapon system," thus authorizing deadly force to protect it, the following change to the policy would reduce ambiguity.

To eliminate the ambiguity among storage areas, alert

aircraft areas and missile sites, the paragraph should be modified by adding two words, "restricted areas" at the end of the sentence before the period. The sentence would now read, "All possible actions must be taken, including the use of deadly force, to stop unauthorized entry to, or seizure of, any nuclear weapon storage area, or transporting vehicle with weapons aboard, or a nuclear weapon system restricted area."

Defined Action or Breach of Boundary

AFR 207-1 rules applicable to nuclear weapons also contain this provision: "Whenever possible, a defined action or an attempted breach of a specific safeguard or boundary must occur before deadly force is used."

(12:para 12-9d(3)) This sentence implies that someone should designate, for security police, what action the intruder would have to take before deadly force could be applied. It also implies that someone should name the specific physical security aid or boundary that the intruder must attempt to breach before deadly force could be applied, such as the buried perimeter alarm system, or the outer fence, or the inner fence.

To insure that this rule is not overlooked, and that security police are provided clear policy, the rule should be rewritten. Because other rules allow security police to use deadly force if hostile intent is shown by the intruder, the rule need only to state, "The local commander

will specify to the security police the precise boundary of the nuclear weapon restricted area where deadly force may be applied to prevent penetration into the area."

CHAPTER V

PROTECTION OF PROPERTY WITHIN CONTROLLED AREAS

The Problem

Deadly force protection is justified in defending property in Air Force controlled areas. (15:para 20b(2)) However, the policy confuses property in controlled areas with the protection of classified information and material from espionage. Additionally, the policy does not define which property in controlled areas justifies this protection, and commanders have created controlled areas throughout the Air Force to protect property not justifying the use of deadly force protection.

Quiz results reveal misunderstanding of the policy. Seventy-six percent do not understand that deadly force is authorized, "as a last resort, to prevent the escape of an individual climbing the fence around a controlled area, if you have probable cause to believe that the individual was involved in the damage of property within the controlled area." (24:Q5) Sixty-six percent do not understand that deadly force is authorized, "as a last resort, to prevent the escape of an individual climbing the fence around a controlled area, if you have probable cause to believe that the individual was involved in the theft of property within the controlled area." (24:Q6) On the other hand, sixteen percent do not understand that deadly force is not

authorized, "as a last resort, to prevent an individual from illegally entering a controlled area who is attempting to come over, under, or through the controlled area boundary. (The intruder's intent is unknown.)" (24:Q9) Three percent do not understand that deadly force is not authorized, "as a last resort, to prevent the theft of, or damage to, other types of property, such as typewriters, located outside controlled areas." (24:Q12) Six percent do not understand that deadly force is not authorized as a last resort, to prevent a vehicle from coming on base which fails to stop for an identification check. (24:Q19) Seven percent do not understand that deadly force is not authorized, as a last resort, to prevent the escape of a gasoline thief. (24:Q20)

Background

The use of deadly force, as defined by DoD, is authorized "to prevent the actual theft of, damage to or espionage aimed at property or information which-though not vital to the national security-is of substantial importance to the national security." (22:para IV.A.5.)

The Air Force regulation restates this, and goes on to explain that, "Within the USAF, property contained within controlled areas, established according to AFR 125-37, is of substantial importance to the national security." (15: para 20b(2))

AFR 125-37, The Installation and Resources Protection Program, states that "A controlled area is a

legally defined area, which by nature of the resources contained therein, requires limited access by specified personnel." (18:para 7-1) In AFR 125-37, Attachment 1, "controlled area" is identified as "Any building, area, or structure containing USAF resources which are lucrative targets for theft, compromise, or destruction, and to which entry must be limited in order to provide more protection." (18:105) Controlled area signs must be posted on the boundary. These signs do not carry the USE OF DEADLY FORCE AUTHORIZED warning as restricted area signs do.

"Espionage" of "Information"

Chapter IV discussed the fact that the terms "espionage" and "information" were not deleted from the paragraph defining threats to property of "vital" importance to national security, when new rules for the protection of classified information and material were written. Similarly, these two terms were not removed from the paragraph defining threats to property of "substantial importance" to national security. Rewording paragraph 20b(1) of AFR 125-26 to remove the terms "espionage" and "information" would reduce confusion by authorizing deadly force only to protect property of substantial importance to national security. It would also serve to fulfill the writer's original intent to address the protection of classified information and material separately.

Property Contained Within Controlled Areas

AFR 125-37 states that:

7-1. **The Controlled Area.** A controlled area is a legally defined area, which by virtue of the resources contained therein, requires limited access by specified personnel. Installation commanders have the authority to designate controlled areas which are in addition to those areas prescribed in this regulation. Areas an installation commander should consider include: mission essential resources not covered by 207-series publications, high value storage areas such as warehouses storing weapons systems spare parts, and other areas where positive entry control is essential such as areas where large volumes of classified material are processed. (18:para 7-1)

It is apparent that deadly force may be used, as a last resort, to protect the property for which the controlled area was established. However, these controlled areas are likely also to contain property which does not warrant deadly force protection. The first sentence of AFR 125-37, para 7-1 should be rewritten to state: "**The Controlled Area.** A controlled area is a legally defined area containing property of substantial importance to the national security or property inherently dangerous to others, thus requiring limited access by specified personnel." The policy in AFR 125-26 could be made clearer if it were changed from "Within the USAF, property contained within controlled areas, established according to AFR 125-37, is of substantial importance to national security." (15:para 20 b(2)) to read "Within the USAF, substantially important property and property inherently dangerous to others, contained within controlled areas, established according to AFR 125-37 to protect that property, warrants

deadly force protection." The definition of controlled area in AFR 125-37 should also be changed to meet the spirit and intent of the DoD policy for deadly force protection only for property designated by that directive. It should be revised to read, "Controlled Area-Any building, area, or structure containing resources which are of substantial importance to the national security, or containing property inherently dangerous to others (weapons, munitions, or explosives)."

Once property meeting this criteria has been identified at the local level as the basis for the controlled area designation, law enforcement personnel must be given a list of the property and educated on its location within the controlled area. Only then can there be a proper application of the intent of the rules governing the use of deadly force.

Proliferation of Controlled Areas

Many bases have misapplied the controlled area designation to areas which do not contain property of "substantial importance to the national security" or property "inherently dangerous to others." For example, one base surveyed listed among its controlled areas the "package store supply room" and "SP impoundment lot." (19:c-1-2) Air Force regulations, themselves, contribute to this proliferation of controlled area designations. For example, AFR 125-21, Security Police Investigations, directs security police to "Designate evidence and acquired property

storage areas as controlled areas if evidence and acquired property are maintained in the same room. If rooms are maintained separately, only the evidence room must be so designated." (20:para 16b(2))

The paragraph concludes by stating, "Vehicle impoundment lots are exempt from the requirement to be designated a controlled area." (20:para 16b(2)) Vehicle impoundment lots are not the only areas not containing property of "substantial importance to the national security." Neither do evidence rooms, except in a most unusual case. There may be other Air Force regulations, MAJCOM supplements, or base regulations that prescribe certain areas to be designated controlled areas that should not be so designated, such as pharmacies, hospital computer rooms, and Air Force Office of Special Investigations offices.

Another base's list of 59 controlled areas footnoted nine of the areas on the list. The footnote at the bottom stated "IAW AFR 125-26, the use of deadly force is authorized for protection of these areas." (21:8) For the other 50 areas (legitimately established), apparently the use of deadly force was not authorized. Security police at this base would have to memorize which nine warranted the use of deadly force protection, and remember they had no authority to apply deadly force, as a last resort, to protect the other areas.

Areas not containing property of substantial

importance or not containing property that is inherently dangerous, but still requiring limited access, can be made just as secure without the controlled area designation. Individuals who establish control areas must remember that the use of deadly force is authorized, as a last resort, to protect the property for which the controlled area was established. Using this criteria, a package store supply room, for example, does not qualify for controlled area designation and deadly force protection.

Funds Storage Controlled Areas

Another example of an Air Force-mandated controlled area is a cashier's cage or finance office maintaining more than \$7,500 during operational hours. AFR 125-37 states:

Designating Funds Storage Controlled Areas. When a cashier's cage or finance office maintains more than \$7,500 during operational hours, it must be designated as a controlled area. The RPEC will determine whether or not a controlled area is required for funds less than \$7,500. The RPEC decision will be made based on the base threat and risk management analysis. (18:para 11-5)

The title of the above paragraph requires that areas storing over \$7,500 must be designated controlled areas and the body of the paragraph requires that areas where over \$7,500 are handled must be so designated.

Of course, these areas require controlled access, but they do not meet the test of containing "property of substantial importance to the national security," or "property inherently dangerous to others." There is no question that deadly force may be used, as a last resort, to "prevent the commission of armed robbery," (15:para 20c) or

"to apprehend or prevent the escape" of an armed robber (15:para 20d). A problem arises because cashier's cages retain their controlled area designation, with controlled area signs permanently posted, even during non-operational hours when there may be no money in storage or have on hand less than the \$7,500 minimum required for the establishment of a controlled area.

By deleting para 11-5 of AFR 125-37, controlled area designations will not be misapplied to cashiers' cages or finance offices, and responding security police will not use deadly force, except, of course, as a last resort in defense of others, in self defense, to prevent an armed robbery, or to apprehend or to prevent the escape of the robber.

CHAPTER VI
PROTECTION OF PROPERTY NOT INVOLVING NATIONAL SECURITY
BUT INHERENTLY DANGEROUS TO OTHERS

The Problem

Deadly force is authorized to protect ammunition, but there may be some reluctance to apply deadly force to protect against the theft of only a small amount of ammunition.

Quiz results reveal some misunderstanding of the policy. Eight percent do not understand that deadly force is authorized, "as a last resort, to prevent the actual theft of operable weapons or ammunition." (24:Q7)

Background

DoD authorizes the use of deadly force, as a last resort, "to prevent the theft or sabotage of property, such as operable weapons or ammunition, which is inherently dangerous to others, i.e., property which, in the hands of an unauthorized individual, presents a substantial potential danger of death or serious bodily harm to others." (22:para IV.A.3.) AFR 125-26 substitutes "munitions or explosives" for "ammunition," (15:para 20b(3)) and further authorizes deadly force "to apprehend or prevent the escape of a person who, there is probable cause to believe, has committed" this theft or sabotage. (15:para 20d)

Quantity of Munitions

One possible area of misunderstanding: What amount of munitions would justify the use of deadly force to protect it? One round, one box, or one case of small arms ammunition, readily available on the commercial market, may not be legally sufficient to justify protection with deadly force. Security police chasing a suspect whom they believe has stolen only a small amount of munitions may elect to hold their fire rather than press the letter of the regulation.

Security police reluctance to apply deadly force in an incident involving only a small amount of munitions may be understandable. No practical definition of what constitutes minimum amount of munitions can be reached, therefore, no recommendation is made for change.

CHAPTER VII

PROTECTION OF CLASSIFIED INFORMATION OR MATERIAL

The Problem

At one time, deadly force was justified to protect classified information and material. (16:para 18c(1)) Now, it is justified only on a case-by-case basis, depending on the classified information or materials' location, rather than on the importance of the information or material to national security.

Quiz results reveal misunderstanding of the policy. Twenty percent believe that deadly force may be used, "as a last resort, to prevent the escape of an individual you have probable cause to believe has just stolen a classified document marked "confidential."" (24:Q1)

Background

In the 1974 version of AFR 125-26, all classified information was specifically included under the definition of property vital to the national security (16:para 18c(1)) and thus warranted deadly force protection. It no longer is included in the definition. Chapters IV and V of this report, under the subheadings "'Espionage" of "Information," describe the incomplete removal of references to classified information and material and the subsequent confusion that can cause.

Complicating the definition of what is included as "vital" resources and "property of substantial importance

to the national security" for the purpose of deadly force protection are the definitions of top secret, secret, and confidential information.

"Top Secret" shall be applied only to information or material the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security. . . . (17:para 1-501) "Secret" shall be applied only to information or material the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security. . . . (17:para 1-502) "Confidential" shall be applied only to information or material the unauthorized disclosure of which reasonably could be expected to cause damage to the national security. . . . (17:para 1-503)

Although these definitions describe each category's importance to national security, AFR 125-26 was specifically rewritten to exclude classified information and material from deadly force protection, except on a case-by-case basis. The regulation now reads:

***21. Use of Deadly Force for Protection of Classified Information or Material:**

a. Commanders are ultimately responsible for adequately protecting classified information or material under their control to prevent unauthorized persons from gaining access. This is usually accomplished by use of security containers, vaults, vault type rooms, alarmed storage areas, and so on. Therefore, armed protection of classified information or material is not required. This includes arming personnel solely to perform this function, or those who are armed in the course of other officially assigned duties.

b. Notwithstanding, only those persons in 3b(1) and 3b(2) above, may authorize on a case-by-case basis the arming of personnel and use of deadly force for protecting classified information or material. This authority may be granted only when it is first determined that no other adequate means exist for protecting information or material. Furthermore, these officials must also identify the specific information or material to be protected, and those conditions that would warrant the use of deadly force. (15:para 21)

Secure Storage Versus Armed Protection

The new paragraph states that the use of deadly force to protect classified information or material depends on whether or not the information or material is physically secured. A commander may authorize the use of deadly force to protect a document outside of storage, but once that document is put back into a security container, deadly force may not be applied to prevent its theft (or even the theft of the entire container) or to apprehend or prevent the escape of the thief.

This new paragraph seems to have been rewritten to provide commanders relief from having to provide an armed guard for classified information or material in storage. It creates a category of property (information or material) that warrants deadly force protection depending on whether or not it is in secure storage, rather than on its importance to national security.

To further complicate the issue of when deadly force can be applied to protect classified information or material, AFR 125-37 advises installation commanders to consider including "areas where large volumes of classified material are processed" as controlled areas. (18:para 7-1).

Thus, on the one hand, the Air Force may have a controlled area where large volumes of classified material are processed, and responding security police may use deadly force to prevent the theft of the classified material and to apprehend or prevent the escape of the thief. On the

other hand, the same classified material, although just as important to the national security once it is outside the controlled area, may not be protected by deadly force if it has not been "specifically designated" for deadly force protection.

For the reader who disagrees with the assertion in Chapters IV and V of this research report that "espionage" and "information" should be excised from the rules governing the use of deadly force to protect property involving national security, that reader should agree that classified information or property should be given deadly force protection regardless of where it is handled or stored.

Recommendation

If the intent of the Air Force is to consider classified information and material important enough to be warrant deadly force protection, it should clearly state that policy. The definitions of the three levels of classified information clearly equate its importance with property for which controlled areas are established to protect.

If the intent of the Air Force is to consider classified information or material in secure storage as not falling under the deadly force policy umbrella, it should remove all such reference from AFR 125-26 and AFR 125-37.

CHAPTER VIII

SERIOUS OFFENSE AGAINST PERSONS (DEFENSE OF OTHERS)

The Problem

AFR 125-26 gives four examples of serious offenses "involving violence and threatened death or serious bodily harm." (15:para 20c) They are arson, armed robbery, aggravated assault, and rape. (15:para 20c) Three unquestionably involve violence and threatened death or serious bodily harm. The fourth, arson, does not always threaten death or serious bodily harm.

Quiz results reveal misunderstanding of the policy. Twenty-four percent do not know that deadly force is authorized, "as a last resort, to prevent the escape of someone who has just thrown a Molotov-cocktail (firebomb) against an occupied building." (24:Q2) On the other hand twenty-one percent believe that deadly force is authorized, "as a last resort, to prevent the escape of someone who has just thrown a Molotov-cocktail (firebomb) against an unoccupied administrative building containing no classified material or controlled areas." (24:Q3) Forty-three percent do not know that deadly force is authorized to prevent the escape of an armed robber. (24:Q21) Fifty percent do not know that deadly force is authorized, "as a last resort, to prevent the escape of an individual you have probable cause to believe has just committed a rape." (24:Q4)

Arson

It could be argued that a Molotov cocktail thrown against an unoccupied building is not a "serious offense against persons" and therefore does not warrant the use of deadly force to either defend against the act or to apprehend the arsonist. However, it could be argued that arson in any case is life-threatening to the responding firefighters.

Security police potentially face this question at the site of a heated demonstration, and would be expected to make the correct decision on the use of deadly force.

If it is the intent of Department of Defense and the Air Force to draw a distinction between the two categories of arson (arson where there is no immediate threat to life, and arson where there is an immediate threat to life), it should do so in the basic policy.

If there is no intent to draw a distinction between the two types of arson, then seventy-nine percent of security police who believe that deadly force may not be applied in the instance of the unoccupied building need to be reeducated.

Armed Robbery and Rape

The high number of incorrect answers to the questions of whether deadly force can be applied, as a last resort, to prevent the escape of an armed robber or rapist (forty-three percent and fifty-one percent respectively) reflect a basic misunderstanding of the use of deadly force

policy. The policy is clear, and training materials are clear. Therefore, this author concludes that the current emphasis on this aspect of training is inadequate.

CHAPTER IX

OTHER ISSUES

The Problems

Training materials do not discuss all the facets of the use of deadly force policy. Similarly, the form which security police sign annually does not contain some of the deadly force policy, nor does the form require the individual to attest to a willingness to use a firearm when its use is warranted.

Educational Subject Block Index (ESBI) B1, Arming and the Use of Force

ESBI B1 is the lesson plan for Air Force trainers to teach the arming and use of force policy to Air Force security police personnel. It restates the policy outlined in AFR 125-26 and contains 13 AF Forms 685, Question Bank File, to test students on their knowledge of the policy.

(14)

The ESBI could be improved by:

1. Including AFR 207-1, The Air Force Physical Security Program, as an instructor reference. AFR 207-1 contains policy on the use of deadly force to protect USAF priority resources (12:para 12-9), defines "hostile act" (12:para 12-9a), "hostile act without hostile fire" (12:para 12-9b), and "hostile act with accompanying hostile fire" (12:para 12-9c). It also outlines "special rules applicable to nuclear weapons" (12:para 12-9d). All these rules are

vital to security police responding to threats involving priority resources, and should be taught during the "Arming and Use of Force" block of instruction. Quiz results indicate a lack of understanding of these provisions of the policy.

2. Including the sentence "You could face disciplinary action if you use deadly force when it is not authorized." in the introduction. Currently, the motivation for the student centers only on "failure to use deadly force when it is needed." (14:part IIA) Both approaches are needed to cite both extremes of the application (or non application) of the policy.

3. Instructing the student on those situations when deadly force can be used to protect classified information or material. Currently, no reference is made to this subject.

4. Adding more questions to the question bank file dealing specifically with the application of the use of deadly force. Currently, only one question tests the students' knowledge on this subject. Questions should include situations where deadly force is not authorized, such as when a driver fails to stop at a base entry point or steals/damages property not of vital or substantial importance to national security, or steals/damages property not inherently dangerous to others.

Air Force Form 497 - Air Force Policy Statement-

Firearms Safety and Use of Force

Personnel who carry a firearm for the purpose of providing internal security/protection are required to sign an AF Form 497 "prior to carrying a weapon for duty, and annually thereafter." (13:para 24) The form summarizes the Air Force policy on "firearms safety responsibilities," "firearms safety rules," and "use of force." The individual signs the form, signifying that "I have read and understand the policy pertaining to firearms safety and use of force as described on the front of this form." (13)

The "use of force" section does not mention the protection of classified information. If it is the intention of the Air Force to include classified information under the use of deadly force policy umbrella (even on a case-by-case basis), that fact should be included in this section.

Rules of engagement for security forces, and special rules applicable to nuclear weapons, are absent from the form. Both are important for a complete review and understanding of the use of deadly force policy.

The form states that deadly force may be used in the defense of others, but does not give the four examples found in AFR 125-26 (arson, armed robbery, aggravated assault, and rape). There is room on the form for this addition.

Much of the information on the form could be condensed or deleted to make room for all of the above

subjects to be covered. Quiz results indicate a lack of understanding of these provisions of the policy.

One additional line should be added above the signature block on the AF Form 497 which would state "I have no mental reservations which would preclude me from using deadly force in a situation warranting its application." From this writer's, and others', experience, there are security police personnel in today's Air Force who would not use their firearms under some circumstances. Refusal of someone to sign the form would be grounds for dismissal from the career field, and perhaps from the Air Force.

Disciplinary Action

AFR 125-26 contains a warning that, "The person who applies excessive force may be subject to disciplinary action. Deadly force (paragraph 20) may only be used under these circumstances and restrictions described in paragraph 20 and 21." (15:para 19)

This statement appropriately warns security police that they must be careful in applying deadly force. But it may put a chilling effect on their willingness to use a firearm at all, a "burden of having to be 100 percent legal and correct . . . without any practical margin for error." (3:45)

This unwillingness to use a weapon may be one of the more serious problems in the security police carrier field today, as described in the next section.

Unwillingness to Use a Weapon

This writer has shared the experience of two previous researchers that there may be a "mind set" among some security police who believe, "I won't shoot because I'm not sure or because I'll be second guessed." (3:57) Perhaps it is unclear policy which has led to this mind set, perhaps it is the rationale of a "closet" conscientious objector.

Quiz results reveal the degree of some unwillingness in the security police career field to use a weapon. Of the 215 security police who agreed that deadly force was authorized, as a last resort, to prevent the escape of someone who had just blown up a priority resource (vital to the national security), 14 stated they would not have used deadly force themselves to prevent the escape. (24:Q18) Of the 215 security police who agreed that deadly force was authorized, as a last resort, to prevent the escape of an armed robber, seven stated they would not have used deadly force themselves to prevent the escape. (24:Q22)

At no time in security police training or subsequent job assignments are security police personnel asked "Would you use your firearm in a situation warranting its use?" This writer has posed that question to security police on inspection trips and to those under his command, and has been given an occasional "no" answer in response. There is no room in the career field for someone who would not use a firearm when necessary.

Placing the additional statement on the AF Form 497 as described earlier in this chapter may help identify some of these people.

CHAPTER X

CONCLUSIONS AND RECOMMENDATIONS

Just as rules of engagement for military forces govern the peacetime application of deadly force towards foreign armed forces, the use of deadly force policy governs the peacetime application of deadly force towards anyone threatening to steal or damage important Air Force resources. Conclusions drawn about the clarity of rules of engagement, and whether service members understand and are willing to apply them, are similar to conclusions drawn about the security police use of deadly force policy. Senior officers in a position to effect change should evaluate this research report and make changes to Air Force policy where they agree there should be change.

Special rules applicable to nuclear weapons unintentionally draw a distinction between applying deadly force at the fenceline around weapons storage areas and applying deadly force at the fenceline around nuclear alert aircraft parking areas and nuclear missile sites. While deadly force is authorized for the former, it is not for the latter. HQ AFOSP should reword the policy to allow deadly force to be applied at the fenceline to all three areas. The revised policy should also require the local commander to designate in writing the specific safeguard or boundary which would justify the use of deadly force if it is being breached.

The proliferation of the controlled area designation results from the lack of a clear policy statement that a controlled area should be established only for the purpose of containing property of substantial importance to national security or for the purpose of containing property inherently dangerous to others. HQ AFOSP should reword the policy and advise all Air Force units to reduce their numbers of controlled areas accordingly.

Rules governing the use of deadly force to protect classified information and material are written to permit deadly force protection depending on the location of the information or material, rather than on its importance to national security. HQ AFOSP should decide on the applicability of deadly force protection for classified information and material, and revise the current policy accordingly.

ESBI B1 is incomplete. The HQ AFOSP staff should rewrite it to include AFR 207-1 rules of engagement and rules applicable to nuclear weapons, and AFR 125-26 rules for the protection of classified information and material. The question bank file should be expanded to include more questions on the use of deadly force policy.

AF Form 497 is incomplete. The HQ AFOSP staff should revise it to address the protection of classified information, address rules of engagement for security

forces, include the four examples of defense of others (arson, armed robbery, aggravated assault, and rape), and include a line attesting to the individual's willingness to use a firearm when required.

There are security police personnel who know now that they never intend to use their firearms, even when they confront situations warranting their use. Commanders should make an effort to identify these personnel for crosstraining or discharge. HQ AFOSP modification of AF Form 497 will aid commanders in identifying these personnel.

The lack of knowledge and understanding of the use of deadly force policy by Air Force security police personnel is serious. Quiz results from 11 security police units are more remarkable in their similarity than their differences, and can be extrapolated to the entire career field. If HQ AFOSP agrees that changes to the policy are required to improve understanding, that office should follow up after the changes are made to determine the effect of the change.

Problems identified in this report may be applicable to the other services. HQ AFOSP should crossfeed its analysis of the report to them. As the commanding officer of the U.S.S. Stark has stated, "We must take the lessons learned, make needed improvements. and insure a tragedy like this never happens again." (4:21)

APPENDIX I

QUIZ ON THE KNOWLEDGE OF THE USE OF DEADLY FORCE POLICY

Introduction. AFR 125-26, Arming and Use of Force By Air Force Personnel, defines those situations when deadly force may be used. As a member of the security police, you have been trained on this Air Force policy. Please answer the following questions to the best of your ability. All questions have either a yes or no answer, based on the information provided within each question. Circle either the YES or NO or I DON'T KNOW after each question.

MAY YOU USE DEADLY FORCE, AS A LAST RESORT:

1. To prevent the escape of an individual you have probable cause to believe has just stolen a classified document marked "Confidential?" YES NO I DON'T KNOW
2. To prevent the escape of someone who has just thrown a Molotov-cocktail (firebomb) against an occupied building? YES NO I DON'T KNOW
3. To prevent the escape of someone who has just thrown a Molotov-cocktail (firebomb) against an unoccupied administrative building containing no classified material or Controlled Areas? YES NO I DON'T KNOW
4. To prevent the escape of an individual you have probable cause to believe has just committed a rape? YES NO I DON'T KNOW
5. To prevent the escape of an individual climbing the fence around a Controlled Area, if you have probable cause to believe that the individual was involved in the damage of property within the Controlled Area? YES NO I DON'T KNOW
6. To prevent the escape of an individual climbing the fence around a Controlled Area, if you have probable cause to believe that the individual was involved in the theft of property within the controlled area? YES NO I DON'T KNOW
7. To prevent the actual theft of operable weapons or ammunition? YES NO I DON'T KNOW
8. To prevent an individual from illegally entering a Restricted Area who is attempting to come over, under, or through the Restricted Area fence? (The intruder's intent is unknown.) YES NO I DON'T KNOW

9. To prevent an individual from illegally entering a Controlled Area who is attempting to come over, under, or through the Controlled Area boundary? (The intruder's intent is unknown.) YES NO I DON'T KNOW

10. To prevent the theft of, or damage to, property contained within Restricted Areas on your base? YES NO
N/A--there are no Restricted Areas on this base. I DON'T KNOW

11. To prevent the theft of, or damage to, property contained within Controlled Areas on your base? YES NO
I DON'T KNOW

12. To prevent the theft of, or damage to, other types of property, such as typewriters, located outside Controlled and Restricted Areas on your base? YES NO I DON'T KNOW

Now, let's take some hypothetical situations. Answer as you believe Air Force dictates in its policy, and how you would react in the situation.

13. Situation. A helicopter sets down 100 yards from a Restricted Area, without prior notification to security police. An individual gets out and runs toward the Restricted Area boundary which is properly and clearly marked with a red painted line and signs on the pavement. The stranger appears to be in military uniform and he is carrying what appears to be a briefcase. May you use deadly force, as a last resort, to prevent the individual from running across the red line into the area? YES NO
I DON'T KNOW

14. Same situation as #13. The stranger disregards your challenge, (and is not hit if you fired at him), throws a briefcase under a Priority Resource, and runs back towards the helicopter. Would you reasonably assume this is a hostile act? YES NO I DON'T KNOW

15. If you answered YES to #14, may you use deadly force, as a last resort, to prevent the individual's escape? YES NO I DON'T KNOW N/A--I answered NO to #14.

16. Same situation. The briefcase blows up, and damages the Priority Resource. May you use deadly force, as a last resort, to prevent his escape? YES NO I DON'T KNOW

17. Same situation. The individual gets into the helicopter (you missed him if you shot at him). May you use deadly force, as a last resort, to prevent the helicopter from leaving? YES NO I DON'T KNOW

18. Same situation. Regardless of what the regulation says, would you have used deadly force in any of the above situations? YES NO I DON'T KNOW

19. You are riding on patrol (security or law enforcement, it makes no difference). You hear over your radio that the driver of a yellow late model convertible with a red fender has just entered the base after refusing to stop for an ID check. You see a vehicle matching that description approaching. May you use deadly force, as a last resort, to prevent the vehicle from traveling any further? YES NO I DON'T KNOW

20. The yellow convertible with a red fender turns and disappears. Later, you hear on your radio that the driver of a late model yellow convertible with a red fender was seen cutting the lock off a gas pump at the closed BX service station and was seen stealing gas. You are dispatched to the base gate to assist in stopping the fleeing vehicle. You see a vehicle matching that description approaching. May you use deadly force, as a last resort, to prevent the driver of the vehicle from escaping apprehension? YES NO I DON'T KNOW

21. The yellow convertible with a red fender turns and disappears. Later, you hear that the driver of a yellow convertible with a red fender has just committed an armed robbery of the all-night pizza place on base. You are dispatched to block the vehicle's exit. You see a vehicle approaching which matches the description. May you use deadly force, as a last resort, to prevent the driver from escaping apprehension? YES NO I DON'T KNOW

22. Same situation. Regardless of what the regulation says, would you have used deadly force, as a last resort, in the situation described in #21? YES NO I DON'T KNOW

Please provide for statistical purposes: AFSC _____
Rank _____ Years of SP Experience _____

APPENDIX 2

QUIZ: AFSC AND YEARS OF SERVICE OF PARTICIPANTS

| | <u>Law Enforcement</u> Under four yrs. experience | <u>Law Enforcement</u> Four or more yrs. experience | <u>Security</u> Under four yrs. experience | <u>Security</u> Four or more yrs. experience | <u>Supt</u> | <u>Off</u> |
|-------------|---|---|---|---|-------------|------------|
| Maxwell | 11 | 6 | 0 | 0 | 0 | 0 |
| Keesler | 7 | 13 | 0 | 0 | 0 | 0 |
| Little Rock | 4 | 7 | 3 | 2 | 3 | 0 |
| Barksdale | 10 | 2 | 3 | 5 | 0 | 0 |
| Blytheville | 0 | 1 | 1 | 11 | 3 | 4 |
| Grand Forks | 1 | 3 | 6 | 10 | 0 | 0 |
| Carswell | 5 | 2 | 5 | 8 | 0 | 0 |
| Shaw | 5 | 5 | 4 | 5 | 0 | 0 |
| Eglin | 8 | 2 | 5 | 5 | 0 | 0 |
| Hickam | 1 | 3 | 9 | 5 | 0 | 2 |
| Ramstein | <u>3</u> | <u>7</u> | <u>6</u> | <u>4</u> | <u>0</u> | <u>0</u> |
| 215 TOTAL | 55 | 51 | 42 | 55 | 6 | 6 |

APPENDIX 3

QUIZ: RANK OF PARTICIPANTS

| | AB | AMN | AIC | SRA | SGT | SSGT | TSGT | MSGT | SMS | ILT | CAPT | MAJ |
|-------------|----|-----|-----|-----|-----|------|------|------|-----|-----|------|-----|
| Maxwell | | | 6 | 3 | 5 | 3 | | | | | | |
| Keesler | | | 3 | 3 | 7 | 4 | 2 | 1 | | | | |
| Little Rock | 2 | 2 | 2 | 2 | 2 | 5 | 2 | 3 | 1 | | | |
| Barksdale | 4 | 4 | 3 | 5 | 3 | 3 | 2 | | | | | |
| Blytheville | | | | | 5 | 7 | 1 | 1 | 2 | 2 | 1 | 1 |
| Grand Forks | 1 | 1 | 4 | 1 | 4 | 5 | 3 | 1 | | | | |
| Carswell | 1 | 2 | 2 | 5 | 1 | 6 | 1 | 2 | | | | |
| Shaw | | 1 | 5 | 3 | 2 | 4 | 2 | 2 | | | | |
| Eglin | | 3 | 6 | 3 | 5 | 3 | | | | | | |
| Hickam | | 2 | 6 | 2 | 5 | 3 | | | 2 | | | |
| Ramstein | | 1 | | 7 | 5 | 5 | 1 | 1 | | | | |
| 215 TOTAL | 2 | 16 | 37 | 34 | 44 | 48 | 14 | 11 | 3 | 4 | 1 | 1 |

APPENDIX 4

QUIZ: NUMBER INCORRECT PER PARTICIPANT

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 14 | 15 |
|-------------|---|---|---|----|----|----|----|----|----|----|----|----|----|----|
| Maxwell | | | | 2 | 5 | 3 | 5 | 1 | | 1 | | | | |
| Keesler | | 1 | 1 | 6 | 2 | 6 | 2 | 1 | 1 | | | | | |
| Little Rock | 3 | 2 | | | 3 | 2 | 3 | 2 | 2 | | | 1 | | 1 |
| Barksdale | | 1 | 1 | 3 | 3 | 4 | 3 | 3 | 1 | 1 | | | | |
| Blytheville | 2 | | 4 | 1 | 3 | 7 | 1 | 2 | | | | | | |
| Grand Forks | | 1 | | 4 | 2 | 3 | 4 | 3 | 2 | | | 1 | | |
| Carswell | | | 1 | 3 | 3 | 4 | 3 | 1 | 2 | 3 | | | | |
| Shaw | | | 2 | 2 | 3 | 4 | 3 | 1 | 1 | 1 | 1 | | 1 | |
| Eglin | | 1 | | 4 | 3 | 2 | 4 | 1 | 2 | 2 | | 1 | | |
| Hickam | 1 | 1 | | | 2 | 2 | 5 | 5 | 3 | | 1 | | | |
| Ramstein | | | | 1 | 3 | 3 | 4 | 2 | 4 | 1 | 1 | | 1 | |
| 215 TOTAL | 6 | 7 | 9 | 26 | 32 | 40 | 37 | 22 | 18 | 9 | 3 | 3 | 2 | 1 |

APPENDIX 5

QUIZ RESULTS

AFSC AND AVERAGE YEARS OF SP EXPERIENCE OF THOSE WITH WRONG ANSWERS

| * INCORRECT ANSWER | | | | | | |
|--------------------|------|--------------|------------|---------|--------|----------------------|
| YES | NO | I DON'T KNOW | LEFT BLANK | AFSC | NUMBER | AVE. YRS. EXPERIENCE |
| 1. *42 | 167 | 2 | 4 | 811x2 | 15 | 4 |
| | | | | 811x0 | 25 | 5 |
| | | | | 81199 | 1 | 12 |
| | | | | OFFICER | 1 | 3 |
| | | | | TOTAL | *42 | |
| 2. 163 | *50 | 1 | 1 | 811x2 | 31 | 4 |
| | | | | 811x0 | 17 | 7 |
| | | | | 81199 | 1 | 15 |
| | | | | OFFICER | 1 | 16 |
| | | | | TOTAL | *50 | |
| 3. *45 | 163 | 5 | 2 | | | |
| 4. 107 | *98 | 9 | 1 | | | |
| 5. 52 | *155 | 7 | 1 | | | |
| 6. 74 | *129 | 9 | 3 | | | |
| 7. 197 | *14 | 1 | 3 | 811x2 | 10 | 3 |
| | | | | 811x0 | 4 | 3 |
| | | | | TOTAL | *14 | |
| 8. *89 | 118 | 5 | 3 | 811x2 | 42 | |
| | | | | 811x0 | 40 | |
| | | | | 81199 | 4 | |
| | | | | OFFICER | 3 | |
| | | | | TOTAL | *89 | |

| | | | | | | | |
|-----|------|----------|----|---|------------------------------------|-----------------------------|--------------|
| 9. | *28 | 181 | 6 | 0 | 811x2 811x0 OFFICER TOTAL | 12 15 <u>1</u> *28 | 6 5 3 |
| 10. | 174 | *25 | 5 | 4 | 811x2 811x0 OFFICER TOTAL | 13 11 <u>1</u> *25 | 4 6 10 |
| | N/A | <u>7</u> | | | | | |
| 11. | 84 | *123 | 7 | 1 | | | |
| 12. | *5 | 209 | 1 | 0 | 811x2 811x0 TOTAL | 2 <u>3</u> *5 | 4 8 |
| 13. | *124 | 83 | 8 | 0 | | | |
| 14. | 206 | *5 | 3 | 1 | | | |
| 15. | 169 | *36 | 3 | 3 | 811x2 811x0 81199 TOTAL | 20 15 <u>1</u> *36 | 4 3 16 |
| | N/A | <u>4</u> | | | | | |
| 16. | 209 | *4 | 2 | 0 | 811x2 811x0 TOTAL | 2 <u>2</u> *4 | 2 5 |
| 17. | 193 | *14 | 7 | 1 | 811x2 811x0 TOTAL | 5 <u>9</u> *14 | 10 5 |
| 18. | 183 | *14 | 15 | 3 | 811x2 811x0 TOTAL | 8 <u>6</u> *14 | 5 3 |
| 19. | *7 | 202 | 5 | 1 | 811x2 811x0 TOTAL | 2 <u>5</u> *7 | 3 3 |

| | | | | | | | |
|-----|-----|-----|---|---|-------|----------|---|
| 20. | *11 | 201 | 3 | 0 | 811x2 | 4 | 5 |
| | | | | | 811x0 | <u>7</u> | 2 |
| | | | | | TOTAL | *11 | |

| | | | | | | | |
|-----|-----|-----|----|---|--|--|--|
| 21. | 122 | *83 | 7 | 3 | | | |
| 22. | 109 | *82 | 17 | 7 | | | |

NOTE: Neither AFSC nor years of SP experience were predictors of quiz results. Responses to 13 questions are analyzed by AFSC and experience to demonstrate this.

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GLOSSARY

| | |
|---------------------------|--|
| AF | Air Force |
| AF Form 497 | Air Force Policy Statement-Firearms Safety and Use of Force |
| AFR | Air Force Regulation |
| DoD | Department of Defense |
| ESBI B1 | <u>Educational Subject Block Index B1</u> -"Arming and the Use of Force" |
| HQ AFOSP | Headquarters, Air Force Office of Security Police |
| IAW | In accordance with |
| JCS | Joint Chiefs of Staff |
| Law enforcement personnel | Air Force Specialty Code 811x2, charged with basic law enforcement services to include response to threats to property contained in controlled areas |
| MAJCOM | Major Air Command |
| ROE | Rules of Engagement |
| RPEC | Resources Protection Executive Committee |
| Security personnel | Air Force Specialty Code 811x0, charged with the protection of priority resources contained in restricted areas |
| SP | Security Police |
| Superintendent | Air Force Specialty Code 81199, charged with staff responsibility and the supervision of both law enforcement and security personnel. |
| USN | United States Navy |
| U.S.S. | United States Ship |